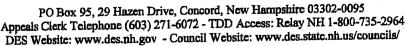


The State of New Hampshire

Department of Environmental Services







May 13, 2005

Sherilyn Burnett Young, Esq. Andrew W. Serrell, Esq. Rath Young and Pignatelli PO Box 1500 Concord, NH 03302-1500

RE: <u>Docket No. 05-07 WC - FOCUS Tamworth Appeal</u>

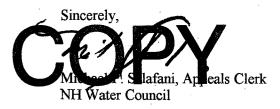
Dear Attorney Young:

On May 11, 2005 the NH Water Council ("the Council") accepted the above-captioned appeal. Vice Chairman F. Wayne DiMarzio has been appointed Presiding Officer.

A pre-hearing conference has been scheduled for Monday, June 13, 2005 at 10:30 a.m. in Room 110 of the offices of the Department of Environmental Services, 29 Hazen Drive, Concord, NH. At the pre-hearing conference, the parties should be prepared to discuss simplification of the issues in the appeal, stipulations or admissions as to facts, the number and identity of witnesses the parties anticipate calling at the hearing, exhibits necessary for the appeal, and any other matter that may aid in the disposition of the appeal, including settlement.

Please note that any document filed in conjunction with this appeal shall be filed by mailing or delivering the **original and 20 copies** of the document to the Council Appeals Clerk. Additionally, a copy of the document must be sent to all parties to the appeal and to any person who has a motion to intervene pending before the Council. Every document filed with the Council, and required to be served upon the parties to the appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served.

If you have any questions, please contact me at (603) 271-6072 or by e-mail at appeals@des.state.nh.us.



cc: F. Wayne DiMarzio, Presiding Officer, NH Water Council Michael P. Nolin, Commissioner, DES Harry T. Stewart, P.E., Director, DES Water Division Anthony I. Blenkinsop, NH DOJ Susan V. Duprey, Esq. Paul Piszczek, DES WD